/8 cont./

851 Birth and death of the first-born. The father must pay the expenses of pregnancy and delivery, as well as those occasioned by the celebration of the birth of his first child, and he is expected to offer a special feast at his own expense at the place where the birth occurred. The news of the birth of the child spreads rapidly and draws relatives and friends from all parts. At midday the dance, which lasts all night, begins, in which the [534] [535] single women and all the men take part. The rhythm is supplied by a double-headed drum made of deer or goat hide. The dancing takes place within a large circle, around the edges of which the couples participating and the curious onlookers gather. The women attend in their finest dresses without forgetting their ornaments (necklaces, bracelets, and anklets) and wear wound round the head a handkerchief, which falls over the shoulder, and have their faces very carefully painted. The men wear broad belts wonderfully embroidered and feather headpieces.

[273] The father must supply his guests with Guajiro rum or with smuggled foreign liquor. Also chicha (made from chewed corn) [541] is prepared and is served liberally. Apart from the dancing there may be horse racing, if the people are rich, and for this they bring their finest animals. At dawn the next day cattle, if the father is rich, and goats are slaughtered, which are prepared and divided among the participants according to their importance in the family, the group, and the total collectivity in general. All the participants return to their homes by sunrise.

[431] In addition to the father, the maternal and paternal relatives join in the celebration of the birth, bringing gifts for the newly born. The father also makes him a present of heads of livestock, [428] which constitute almost the only inheritance he will get during his lifetime, as it is the nephews of the father, (sons of his sister) who inherit the capital and not the sons, according to law, when the marriage has been carried out according to the Guajiro rite.

851 The paternal grandfather also shows his recognition and 431 generosity toward his grandson. If he owns livestock, he is 603 obliged to give a pair of each -- horses, burros, cows, goats,

/39 cont./

604 presents of livestock the boy received at his birth or later or the legacies from his father, takes him under his care. He, the uncle, is not only responsible for looking after his social conduct and for instructing him in normal behavior while he is under his 868 care but also for teaching him the work of pasturing. He takes 604 the boy with him /40/ when he is so occupied, and he passes on his knowledge in order that the boy may become a well-trained owner of livestock or, if he is poor, that he may learn how to look after them, because it is not infrequent that a Guajiro has in his charge the livestock of some rich man, and with these he teaches his nephew.

As the preference of a Guajiro for one special type of livestock shows up early in his life, the uncle should guide him along those lines, giving him every kind of advice in the best way to care for them, with practice to prove his theories.

867 During this time the uncle not only passes on his knowledge 604 of stock raising to the boy but, when talking to him of the past of his group or family, when he recounts some incident, when correcting him or telling him a story, he passes on the strict traditions of the community. For it is the uncle at this period who is responsible for his nephew, and as he considers him his actual son, he tries to make of him someone similar to himself.

868 Another of the uncle's responsibilities is to show the young-604 ster how to carry out agricultural duties at the right seasons. If he owns agricultural land he will usually give him a plot so that the boy can till it when he acquires the strength to do so; or else he continues to teach him on his own piece of land until he is trained in these activities. This handing over of a plot of land, as well as of his livestock when the boy is considered capable of handling his personal property successfully, is the basis of his family and economic independence and the road toward the purchase of his first wife, by which the boy becomes a man and is ready to live his life as an adult. This plot of [428] land, for which he inherits rights of cultivation, gives him a certain prestige because arable land of fertile quality is scarce,

868 /40 cont./
604 and if he inherits a piece he will acquire the status of the uncle
728 who has made him the owner.

The boy also learns from the uncle skill in certain tasks in which the latter is practiced, such as the making of harness and weapons, housebuilding, and other accomplishments like horse riding, lassoing, horse racing, etc.

867 Another very important function also learnt from the uncle,
604 although it might be self-taught, is that of arbitrator or cacique. From the uncle the boy takes in the legal tradition of the peninsula, and, listening to stories of acts which have occurred in the past, he learns the line of reasoning observed, the psychology, and the problems of his kin, the mastery of the language, all essential requirements for success when the responsibility passes into his hands.

868 While living with the uncle the boy also becomes adept
604 at hunting, as he accompanies him on his expeditions, during which he learns all the necessary details until he becomes expert in all /41/ respects, including laying traps to catch the animals that damage the crops. And secondarily, in addition to hunting and livestock or pastoral activity, the boy learns the art of stalking, which in hunting is important in order to get better results and is useful in stock raising also, for various reasons, such as finding a lost animal or following up thieves who attack his herd, etc.

868 Also, in war he is on this relative's side, because, accord-
721 ing to traditional Guajiro law, war unites the consanguineous
604 relatives on the maternal side. So he learns, when warlike deeds are spoken of, how to carry them out, and it is not unusual for him personally to experience the conclusions. He puts these ideas into practice when his kin go to war, headed by the maternal uncle of highest standing or the consanguineous head of most prestige. He goes with them to swell their ranks, so putting into practice what his theoretical education has taught him. Indirectly he has been training for the fray when employed in making weapons for hunting and perfecting himself

/84 cont./

583 and offers them hospitality in his own house. The small bull, the best of the herd, serves to make a special dish and is also divided among those who have come so that each takes with him a good portion, /85/ the higher the guest's standing the better the piece. In the afternoon they return home. If they come to make the payment in the evening, then the attentions are [213] different. They must have a great quantity of chicha made of masticated corn and yucca, which is accompanied by pieces of meat and bollos /corn rolls/. The bridegroom's companions sleep in the bride's house and leave at dawn after breakfast, for which an animal is slaughtered, the meat of which is distributed among the visitors.

In the first case when women attend, they must each be presented with the gift of a goat or a sheep to take home with them; in both cases there must be an abundant quantity of rum for the men.

The bridegroom does not come at this time either, but when he wants to make the girl his wife, he brings more cattle (ten cows when the girl is of high standing), which he hands over to the mother in payment for the matrimonial hammock; with this payment he has fulfilled the final requirements for access to his bride, who awaits him in a neighboring house, and there they hang up their matrimonial hammock, which serves them as a marriage bed.

Sociological significance of the marriage payment. Through the payment the matrimonial tie is strengthened and its legal organization is passed on to the descendants of the new family cell. Thus the laws of inheritance are structured by it: The man [428] pays for his wife with the co-operation of his relatives, and for this reason the children, who belong to the mother's blood, are deprived of the right to inherit the father's goods at his death, because they are not consanguineous relatives, and, moreover, the mother and her maternal relatives received the purchase price. The children take the surname of their mother, a further [551] proof of their bond with the maternal clan, in which they find all the economic and social backing they need.

/211 cont./

423 The geophysical conditions of the region limit the likelihood
428 of agricultural land, which is reduced to strips on the banks of streams or even to the beds of these streams, which are dry during the summer months, and to the immediate environs of wells. As a consequence this limitation has resulted in these arable portions being traditionally in the hands of a number of small families of the clan group, who hold them among themselves; and the right of usufruct is passed from uncle to nephew following the maternal line, in such a manner that, within the common ownership which governs clan land, these plots are a kind of private family property. It is for this reason that a man owning a piece of this land will parcel it out to his nephews, the sons of his sister, when these youths reach an age in which their capacity for labor fits them for agricultural work. Thus it is true that by this system /212/ of inheritance, the ownership of agricultural land is kept in the clan, but held also by a particular family of the clan.

423 One can also mention a second form of access to arable land: when the father cedes to his sons a part of his ownership for its usufruct and in order that they may help to maintain the home. But the use of this plot can be in effect only during the father's lifetime because when he dies his nephews, the sons of his sister and his legitimate heirs, will take definitive possession of the land.
[177] Only in the process of acculturation does this system break down, since with Catholic marriage it is the father's sons and not the nephews who become the recognized heirs of such property.

One may also obtain possession of plots of agricultural land by the opening up of new land, which occurs when the traditional family lands lose their fertility or are reduced in size due to successive inheritance. But for some years this phenomenon has been quite rare for two reasons: the prolongation of summers, which makes agricultural work impossible, and emigration, of which we have already spoken extensively in this study.

The agricultural plot, which is almost individual property,
423 can be demarcated by its owner. We say almost individual
425 ownership because the right to it may be sold. /But/ there is this fundamental principle with reference to immovable property:

/216 cont./

423 764 The cemetery is also very closely related to land rights because every individual hopes to die on his own land, that is, in the place where his elders live and his ancestors lived: on clan territory; and he also hopes to be buried in the communal cemetery. These wishes and hopes of every Guajiro are what elicit long journeys with corpses relatives who died on alien land to give them burial in the cemetery of their ancestors. For this each clan owns a cemetery in certain places of its territory where /217/ the bodies of the deceased members or their bones after the celebration of the ceremony of the second burial may be buried. But in recent times many families who have outstanding social and economic position in the social collectivity have constructed private cemeteries or mausoleums in the vicinity of their family lands for their exclusive use. /page 218 is blank/

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XV

LAWS OF INHERITANCE

● 428 178 In the present state of the Guajiro culture it is extremely difficult to make a basic study of the laws of inheritance because with the process of acculturation taking place in the community, there has been introduced a series of new practices which, combined with the primitive and traditional forms, make the present system a structure difficult to mark off and to subject to fixed norms. We will confine ourselves to giving a few indications of what constitutes what we might call the code of inheritance, but we must make clear that the information we give is by no means complete, and it is possible that certain statements made may have to be rectified later. In general, we can affirm that they constitute the law for that section of the Guajiro community with which we have been in contact. With this in mind we continue our study.

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428 Laws of inheritance in La Guajira are determined by marriage. It follows that if the traditional Guajiro union is complied with, the customary laws of inheritance will hold. Let us see how the system works in its different aspects.

In the first place, inheritance is determined by the law of uterine affiliation. Thus the child does not inherit from his father but from his mother. The goods that belong to the father pass at his death under the control of his maternal ascendants, if any, of his brothers and sisters and of his nephews /and nieces? sobrinos/, children of his sister. If it is the mother who has died, her goods pass into the hands of her children, her maternal ascendants, her brothers and sisters, and the latters' descendants. If a person -- man or woman -- should die before marrying, his goods go under the control of his mother, if she is still alive, to his brothers /and sisters, hermanos/ to descendants through the female line, to the maternal uncles /and aunts? tíos/, to the children of the mother's sisters, etc. We give below a number of cases of inheritable goods and the system involved.

a) The surname is inherited from the mother, as we have explained fully in previous chapters. /220/

b) On the death of an individual his debts and obligations are inherited by his relatives, who are categorically responsible for them and who try to satisfy them as rapidly as possible for three reasons: to maintain respect for the memory of their dead relative; to avoid possible slanderous talk from the creditors or any other members of the community; and to avoid any loss of prestige for the individual in particular and the clan group in general.

428 587 c) The wives of the deceased are transferred as a possession to his heirs. Inheritance of the women generally falls to the maternal brothers of the deceased, though by preference they should go to the youngest of these, particularly if he is still unmarried. To him they will give the youngest wives. This part of the inheritance may provoke conflicts between the brothers and nephews of the deceased, who also have a right to the wives. To illustrate this point we mention the following occurrence: An

/220 cont./

428 587 influential Guajiro of Upper La Guajira had contracted marriage with two women from each of the two clan groups of La Guajira. Becoming very ill and feeling his last hours approaching, it pained him that his illness did not permit him to buy a prepubescent girl he desired so that after his death his nephews would have a motive for quarreling; he was extremely sorry that he would not be able to be present at their squabbles.

The possession of women by inheritance has been gradually weakened, especially in cases where they would have young men as future owners, they being already mature. However, the social precept is maintained that if they wish to contract marriage, the man who wants them must give an agreed-upon sum to their new owner.

428 d) Bond servants, slaves, and their descendants pass under the control of the consanguineous relatives of the deceased in accordance with the special rules of inheritance. This human property passes under the new ownership under the same special conditions of low status under which they were living previously.

e) As regards land, we can say that usufruct of communal property is inherited as well as the right to usufruct of the family agricultural plot, following the uncle to maternal nephew succession in this case.

f) With respect to the dwelling we have the following situation: Every important family usually locates itself in a place of easy access with abundant water, or at least sufficient for their needs, and at the center of the regions of pasture land. The consanguineous members of these families usually form /221/ their new family cells around this primary nucleus. On the death of the owners the original house becomes the property of their descendants through the maternal line.

• • •

428 431 A particular form of inheritance that we ought to consider in this study is that of gifts made while the owner is alive, gifts

/221 cont./

428 of livestock, jewelry, and personal objects, made by the mother
431 and uterine relatives on one hand and the father and his ascendants on the other.

As regards jewelry and personal objects, there are two things that move the native to make these gifts while alive: 1) Because these elements of material culture must be buried with the owner, and this custom prevents their distribution in the form of inheritance, so that their acquisition can only be accomplished by gifts made during /the owner's/ life. 2) Because the father and his ascendants do not consider themselves consanguineous relatives of the son, and for this reason he has no right to inherit from them. The payment that the man makes for his wife to her uterine relatives indemnifies her descendants for this exclusion from participation in his legacy. But nevertheless the culture allows and insists that jewelry and personal objects on the part of the maternal relatives and livestock on the part of the paternal relatives should be given to the children, and it establishes special opportunities for doing so, such as the following: when the young women emerge from their seclusion during the initiation ceremony; at the time of marriage in order to make up a suitable dowry for the young wife in accord with her status and that of her husband; also when a man is about to contract marriage, as we explained in the pertinent section; and, finally, when any one of the members of the group has violated the regimen for social stability and it is necessary to indemnify the offended party, when donations have to be provided by the relatives through the maternal line.

The gift of livestock on the part of the father and his relatives takes place on successive occasions. When the first-born arrives, he receives a gift from the paternal grandfather, who "has the obligation of giving him a horse, burro, cow, goat, sheep, and hen" (pairs of these animals for breeding). The father should give as much again on the birth of each succeeding child. And on successive occasions he gives each one of the children some animal as a reward or stimulus. When the boy comes of age,

/221 cont./

428 that is, when he gets married, his father must hand over to him all the animals that are his personal property. It is then that 431 the largest of the gifts is given. /222/ If this is not given, the boy is always waiting for his father to give it on some other occasion, but should the father die before having given it, the paternal relatives will not concede it to the young man, even though this may be a cause of fighting between the two clan groups.

428 The payment in livestock which the wife receives from the husband for inconveniences suffered during her pregnancy and for each childbirth can also be considered as indirect participation in his goods.

We know that funeral customs establish that when a man dies livestock that is his property must be slaughtered and distributed among the friends who attend the wake at the time of the death and those who attend the second burial. In order to comply with this norm the Guajiro has established gifts of livestock from the maternal relatives, the same as the father does with his children. When a new family member is born, the maternal uncles, especially the one most looked up to by the mother, make a present of livestock to the child which constitute, with the gifts he receives from the paternal relatives, his initial patrimony. These goods keep on growing with successive calving and with the addition of the gifts he receives from his mother, his maternal grandmother, and from other relatives when he becomes capable of caring for them himself. Finally, on marrying for the first time (we must keep in mind that polygamy exists), all the animals destined for him are handed over.

The daughters receive the larger portion of livestock on getting married, especially when they belong to groups of high status and they have been bought at a high price to be consistent with this high value and to maintain the social and economic standing of their family.

428 It should be emphasized, finally, that at the present time 178 the laws of inheritance, as we stated at the beginning, are no longer uniform, due to the steady process of acculturation in the

/222 cont./

428 178 Guajiro community. As a consequence, this phenomenon has brought about a series of struggles among family groups related by marriage ties, as the children now expect to inherit from their fathers, and they consider themselves to have more right to it than the maternal nephews /sobrinos maternos/ and the other obligatory traditional heirs. The situation of conflict has reached such extremes of malevolence and rancor that many times the maternal relatives of the deceased will not resist such claims but will relinquish their rights to the dead man's descendants. /223/

XVI

WORK

461 476 There are two forms of communal work, depending on the ends in view.

a) Communal work with the object of carrying out a job of general utility or utility to the clan.

b) Private work that benefits an individual and his immediate family.

In the first class we have the example of the construction of roads, dams, wells, cemeteries, etc. In La Guajira passage is free over all roads. Consequently, their construction benefits the social collectivity and, more particularly, those groups who wish to be connected by means of them. To open a new road, the beneficiaries most concerned get together with the aim of coming to an agreement on the plans, the preliminary location, and the distribution of the span of the work which will be handled by each group. The collaborators, on their part, redistribute the cost and execution. Thus one day one family supplies food and drink to all the workers; the following day another family, and so on successively until the work is finished.

[30 cont.]

*756 262 for his services as a curer; the flesh of animals sacrificed during anyone's wake or during the ceremony of the second burial, especially if it is the remains of a shaman which are to be exhumed; ordinary food during the days on which he is carrying out his profession when he should limit himself to a small portion of corn mazamorro [cooked crushed corn] and water. Hence, the cattle [423] he receives at his spirit's request in exchange for his cures are used in an indirect manner, being kept for breeding purposes.

171 260 *756 We also find that the food taboo among shamans is characteristic among the Cashinawa Indians, according to the text published by Capistrano de Abreu and cited by Métraux. According to them the souls (spirits) say to the initiate: "I have innoculated you with the magic substance. Do not, therefore, eat carelessly any sort of nourishment or you will lose your magic power (feitico). Eat sparingly. Drink soup, eat cooked bananas and fish. Eat nothing but that!"

They say: "When you do not eat [sic]. Do not eat the tapir, do not eat the deer, do not eat the peccary, do not eat jaguar, do not eat nambú, do not eat the jaeau, do not eat the cujubin, do not eat the coati, do not eat the guariba, do not eat the monkey. These are the foods that you may not eat. If you do eat them [31] we will kill you, say the spirits. Among vegetables do not eat sweet potatoes, sweet manioc, or the innames." (25) [Cited in French.]

25. Métraux. Op. cit., I, 204.

*756 422 So far as the other objects that the shaman receives as payment for his work, neither may he use these directly. He simply keeps them, or he gives them to his children [hijos] as he does ● [428] with the cattle. These objects, if they are not handed over while he is alive, will be divided up after his death among his heirs in accordance with Guajiro customary law....

*756 765 Death of a shaman. When a shaman becomes ill he has to call in a colleague to practice on him all the ceremonies and rites indispensable for fending off the illness, since curers have the power to cure others but are not able to cure themselves.

[62 cont.]

825 whole period of pregnancy. The duality of childbirth-serpent
843 is brought to our notice with an insistence and disconcerting realism which we will endeavor to explain.

If we look into the Guajiro family organization we can
596 see how that community taken as a homogeneous whole is
621 divided into series of extended family groups which follow the line of maternal filiation. Belonging to a family group are the mother, the sons and daughters of the mother, the sons and daughters of the mother's daughters, and so on successively. The administration of the family is not in the hands of the father, who is not considered as such, but in those of the maternal uncles, the eldest of these being predominant. Inheritance also
428 is determined by this system, and sons inherit nothing from their natural father, but from their mother or their maternal uncles. The property of the father is split up among his nephews, sons of his sister, whom he considers as sons. Patrilocality and
591 matrilocality exist, the former predominating. The family group, wrongly named by some authors casta is very much
614 extended, and to it belong all those bearing the same surname. Each large family group has its own property mark or brand and a representative animal. Thus, for example: [63]

Family groups	Representative animals
Uriána (41)	jaguar

[104]

41. For the convenience of our readers we have adapted the phonetics of all these Guajiro names to Spanish orthography, using the most apparent sounds.

Uráriyú	rattlesnake
Uriyú	snake
Woúriyú	partridge
Uyárayú	cauquero (a species of deer)
Ípwana	cari-cari
Sápwana	bittern

[105 cont.]

178 [402] The owners of this idol – that no one is allowed to look at – keep it jealously guarded in a coffer, from which no one can withdraw it. With it they carry out on certain occasions some curious rituals such as carefully washing it and then exposing it to the sun's rays. When the summers are harsh and long, they bathe the idol, which they say makes it happy, and they then can ask it to send rain.

175 174 The small number of these little idols and the ignorance of the natives regarding their origin makes us believe that they are a foreign element, at least with regard to formal representation, which we consider to be the product of acculturation. The possibility that these objects have come from the ancient Arhuaco is also very remote, as we have found no trace in the literature dealing with this group of anything similar to such small idols.

175 325 [428] Moreover, objects of gold are so few that at present they are restricted to necklaces, which are highly esteemed and inherited through the maternal line. But it appears that previously there were other golden ornaments other than the necklaces, as Ensign José Nicolás de la Rosa affirms that on a certain occasion "all the population of Río de la Hacha went to war against them, and the struggle was so fierce and bloody that the Guajiro asked for a truce, offering never again to act so treacherously toward the subjects of the King of Spain, and as a sign of this intention and as compensation for the death of Tomás (Quintero), they delivered to his Majesty [106] a two-headed golden eagle, the jewel being deposited as a hostage to assure the keeping of the peace in the Royal Treasury." (62)

62. De la Rosa, José Nicolás. Floresta de la Santa Iglesia Catedral de Santa Marta [Treasures of the St. Marta Cathedral], 2d., IV, 213.

174 178 Up to now we have not been able to discover the historic value of the small idol called guará or guale, and we continue to incline toward our first opinion that it is a product of acculturation.

3: Wilbert E-5 (ca. 1957) 1958 SC13 Goajiro SC13

Twenty six fundamental kinship terms by which the Goajiro designate their relatives were recorded. Most terms are applied to more than one relative so that the system is classificatory in type. Among the Goajiro, kinship terms are almost exclusively used in reference, while in addressing a person teknonyms are employed, e.g.; nïshi pïichí – father of pïichí (nï – prefix, 3rd pers. singl. masc.; (a)shi – father; pïichí – baciro). The term corresponds to a male person who is the father of a boy child. This practice of teknonymy presupposes the presence of personal names. Either sex can be given a name in remembrance of an event which occurred on their birthday, e.g., "the one of the full moon," "the one of the blossoms of that tree," "the one of the war between . . .," etc. More frequently, however, personal names differ from each other by sex. Boys are called after strong and wild animals, such as baciro (pïichí), tiger (karáira), pig (pïrïkï), wild cat (músï), while girls' names are ornamental and flattering, e.g., "brilliant one" (hʉrótsï), brownish one (muráachong), etc.

The teknonym employed to address a person is derived from the name of the eldest son, and in default of sons, from that of the eldest daughter. Personal names are used in addressing unmarried persons. It is a disgrace, however, for an adult not to have children. Grandparents may be called by a teknonym referring either to a son or to a grandchild.

Kinship terms are never employed in the forms as listed above, but only with possessive prefixes, e.g., tashí – my father; pïshií – your father; nïshí – his father; sïshí – her father; washí – our father; hashí – your (pl.) father; nashí – their father. In the table, kinship terms are represented by their root forms. As a friendly gesture, people may address each other by general terms such as "brother," "sister," etc., or they may call any small child "son" or "grandchild."

Of particular interest is the distinction the Goajiro make between "blood-relatives" and "flesh-relatives." Blood-relatives are all patrilineally related persons, whereas "flesh-relatives" are related to Ego through the mother's line. Kinship ties between flesh-relatives are considered to be stronger than those existing between blood-relatives. In practical life this would mean that Ego would have to help his maternal uncle in a fight against his own father. Among all kinsmen the maternal uncle possesses the greatest authority and his word counts most in all domestic affairs. Frequently, therefore, we find the extended family clustered around the homestead of the maternal uncle, which makes the Goajiro a matrilineal avunculocal society. Otherwise residence is matrilocal. Any one of the three aráur-relatives (maternal uncle), as listed in the table above, may replace the true maternal uncle in case of his death. But only his sister's children can be heirs of his possessions (including his wife or wives).

4: Petrullo E-5 (1935) 1937
SC13 Goajiro SC13

father's relatives who would eat the meat and drink the rum immediately, a feast to which the mother's relatives might be invited as a gesture of courtesy. The offering of rum and meat is voluntary, and even a friend may ask for something as an indication of deep personal interest in the welfare of the injured person. If the injured man makes no offering, no action is taken by anyone to make him do so, but he will acquire a 'bad name.' A Guajiro has a moral obligation to avoid shedding his own blood, but not a legal obligation. Since the father takes care of his son during his lifetime, this obligation is directed towards him and his relatives, but is extended to include any good friend.

Another example of the same distinction is the case where a son asks his father for a particular horse or object possessed by the latter, as a gift. The father is morally bound to grant the request, but there is no legal compulsion to do so. I gave a cacique a fine hunting knife which pleased him greatly. To my surprise his son was proudly wearing it the following day. On inquiring about it the cacique told me that his eldest son had asked for it. Had he refused to give it he would have been considered a bad father. The son inherits nothing from his father on the death of the latter, but while he is alive the son may beg anything within certain limits set by precedent. This moral obligation to give up a prized possession when asked for by one's sons is extended to include close friends.

Allowing the Guajiro to make their own distinctions, let us turn to a consideration of their 'laws.' The commission of certain acts, which in our society would give rise to criminal prosecution, in Guajiro society are considered matters to be settled by the parties concerned. Criminal law is practically non-existent. There is no body politic, properly speaking, that metes out punishment whether or not the injured party seeks redress, and social pressure can hardly be of any importance in a society that protects the individual through the instrument of family and casta membership. In only one case does there seem to be an approach to concerted social action. If an individual has caused his family much trouble and is incorrigible, if his family has been called upon to pay for his mis-

6: Santa Cruz E-5 (1940) 1941
SC13 Goajiro SC13

Reciprocal Relations of Maternal Uncle and Nephew

604 The general attitude of the maternal uncle toward his nephew is one of giving; and that of the nephew, one of receiving.

428 Let us first deal with inheritance. Theoretically, the rule
604 is that the maternal uncle must leave all of his property, both
183 personal and in the form of cattle, to his oldest sister's eldest son.
431 All his other nephews,—other sons of the same sister or sons of other sisters,—are left out of the inheritance. This is the rule. However, in practice it seldom works, as the maternal uncle during his life continues to transfer his property in the form of gifts to his own male children, so that at the time of his death there is nothing, or very little, left of his property to be inherited by his nephew, unless the uncle is a very rich man. Only among the wealthy class has the uncle always something left to bequeath to his nephew. For this he does not need a will as it falls within the prescribed rule mentioned above. The following cases are illustrative.

428 Ilaro is the eldest son of a man named Rafael living at Uribia,
431 and, like his mother, belongs to the Arpushaina sib. Ilaro's
604 mother is the elder of the two sisters of Calleja, who in turn is the eldest of five siblings,—two sisters and three brothers. Thus Ilaro, his mother, and his uncle Calleja are all seniors.
[556] Calleja is not looked upon as a rich man, although he is well fixed and belongs to the middle class. Ilaro, however, does not expect much, if any, inheritance from his uncle and is aware
[231] that the latter has been transferring most of his cattle,—the most valuable possession in Guajiro eyes,—in the form of gifts
[422] to his own sons. The writer visited Ilaro's uncle who lives nearby and saw the cattle already branded with his son's personal brand. Ilaro is not at all concerned about the property of his other uncles as their property will pass automatically to their own children.

This next case illustrates a different situation. Pacheco is a very rich man who lives in Carraipia. He has a nephew,—the senior maternal nephew,—who lives there also. Pacheco has a son of his own and the present writer observed that some of Pacheco's cattle have already been branded for his son, but

6: Santa Cruz E-5 (1940) 1941
SC13 Goajiro SC13

as his herds are large there are quite a number still unbranded. Pacheco informed me that at the time of his death, those left unbranded will automatically—following the inheritance rule—go to his nephew.

The attitudes of these two nephews, Ilaro on one hand, and Paco, Pacheco's nephew, on the other, are quite different. Ilaro has very little to do with his uncle. He seldom visits him, although they live quite near each other, and their relations are somewhat detached. However, there is no animosity between them and the writer noticed that they speak of each other, not badly, but with indifference. In the case of Pacheco and his nephew the relationship is very close. They pay each other visits with regularity, and Pacheco shows a paternalistic attitude toward his nephew and is always willing to help him in every way possible. On the other hand Paco never shows any hesitation in going to his uncle for whatever he needs regardless of whether his own father is able to help him or not.

Pacheco has other nephews, brothers of Paco and others, but he has practically no relations with them. They never go to him for any assistance and he does not expect them to do so. Regarding inheritance they, of course, receive nothing whatever from Pacheco at his death.

It appears that generally the attitude of a senior nephew toward his senior maternal uncle largely depends on what he expects from him in the way of inheritance. There are cases, however, where mutual understanding and regard and affection are strong ties regardless of what the nephew expects. Such is the following case. Camilo is the only son of a poor man living at Cardon. He has a senior maternal uncle living at Manaure who is also poor. Although living at quite a distance, Camilo often goes to pay a visit to his uncle, and is often visited by him. Camilo shows great respect toward his uncle and speaks of him as being a very good man, who would do anything for him if he could, but he is aware that his uncle can do very little for him. The writer visited the uncle at Manaure and verified the impression of him given by Camilo. He holds his nephew in high regard, is very much concerned in all that Camilo does and in how he is getting along in life.

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having asked the permission of his uncle, and when he had finished he asked his uncle's opinion on the subject, something he had not asked of his father prior to his uncle's arrival. In every way Ilaro showed respect toward his uncle, although as has been previously pointed out, contacts between the two are neither close nor numerous. At one time the uncle made a remark which apparently was not in agreement with Ilaro's opinion. However, Ilaro did not speak until his uncle was gone, which was a good two hours later. Ilaro remembered the remark, however, and reverting to it, gave his opinion, asking the present writer not to mentioned it to his uncle. The matter was of little importance, having to do with the proper selection of a bough for the manufacture of a bow. A breach of this prescribed pattern of behavior would have brought public criticism, and the guilty party would have had no excuse.

As regards the behavior between an individual and all his other uncles, data were secured on various occasions. One illustration will suffice. It again concerns Ilaro. The day before his departure the writer was given a feast by Rafael, to which the latter invited nearly all of his relatives by blood and by marriage who could come. Consequently there was plenty of opportunity to observe the behavior of Ilaro toward his uncles. Toward Calleja, Ilaro's behavior was exactly the same as on the occasion described above. Toward his other uncles a certain deference was shown, but not nearly as much as toward Calleja. For example, Ilaro showed no hesitation in interrupting his other uncles' speech, which he did on various occasions. This gave rise to no criticism of him.

So far we have been dealing with the behavior in public between the senior nephew and his senior maternal uncle. Naturally no such observation was possible in regard to the private relations between the two, that is, when nephew and uncle are together by themselves. However, judging from what informants said, it appears that the behavior of the nephew in private is very much the same as in public, if he expects inheritance from his uncle, because were he to depart from the conventional, the uncle would disinherit him. On the other hand, if the nephew expects no such inheritance, and the uncle is thus

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unable to punish his nephew by disinheriting him, the nephew's behavior is very much dictated by the ties of regard or affection that exist or are lacking between the two. The private behavior of the uncle toward his nephew is almost wholly controlled by the same ties, as there would be no way for the nephew to retaliate if his uncle were to break the rule. There is one control, however, that both the nephew and the uncle have over each other. It has nothing to do with either regard or affection or with the possibility of inheritance. It is the fear that if either the nephew or the uncle break the rule the offended one may circulate the news in the community. If such news were circulated the reaction of the community would depend on the standing in the community of both parties concerned. If, for example, the offended had good standing while the offender had not, the reaction would be highly condemnatory. In the reverse situation, the news would be taken lightly.

From the evidence gathered, three primary factors condition the actual attitudes and behavior of a senior nephew and his senior maternal uncle. The first is the economic interest that the nephew may have in his uncle's property. The second is the fear of public opinion. The economic factor may or may not be operative; the fear of public opinion is always present. The third factor is regard or affection or similar personal sentiments. These three factors may go hand in hand and then it is very difficult to say which is the strongest. In some cases, as in that of Camilo and his uncle, mutual affection and regard are undoubtedly the dominant factor.

To sum up: when the senior maternal uncle is rich, he is the giver, and the senior nephew the receiver, of benefits. As to actual behavior, however, a nephew is obliged to show deference in a particular manner to his senior maternal uncle, and the uncle in turn must show a certain amount of respect for his nephew. Fear of public opinion makes for conformity in behavior regardless of economic interest or personal regard.

Reciprocal Relations of Maternal Uncle and Niece

The relationship here is just the reverse of the uncle-nephew relationship. Here the uncle is the receiver of the benefits and

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604 the niece the giver. Another difference is that while the giving-receiving relation in the uncle-nephew situation is between the senior nephew and his senior maternal uncle, in the uncle-niece situation it is between the senior maternal uncle and all the daughters of all his sisters.

In the senior maternal uncle-niece relationship the whole [428] question of inheritance is out of the picture, as in Guajiro culture the woman, regardless of her status, cannot inherit. The nieces never expect and never get anything from any of their uncles in the way of inheritance or otherwise. Consequently we can dismiss economic expectations on the part of the niece as a motivating factor. Their behavior toward their senior maternal uncle is the resultant of other factors. The senior maternal uncle being on his part the receiver of benefits may act from affection or regard, or from selfish or other motives, or combinations thereof.

604 583 The senior maternal uncle receives material profits from all of his sisters' daughters through the bride price. The bride price, however big or small, must be paid to the senior maternal uncle of the bride, while he on the other hand does not contribute anything toward the dowry which the bride must present to the bridegroom. The bride price must always be paid in cattle, while the dowry usually consists of gifts of clothing, household goods, hammocks, etc. Consequently the senior maternal uncle is very much interested in the marriage of his nieces and sees that they marry advantageously. He may accept or reject [584] a prospective bridegroom at will, and the girl has to conform [183] and to say nothing in the matter. This is the theory and to a great extent the practice, although there are cases in which the uncle has given in on the insistence of the niece or of the prospective bridegroom or of both, and a few cases of elopement have also come to the notice of the present writer. As previously mentioned, all of this concerns only the senior maternal uncle and all the daughters of all his sisters: the other uncles, maternal or other, have no say in the matter.

604 584 The following cases will serve as illustrations. Estrella is the daughter of Ramoncito's oldest sister. They all belong to the wealthy class. She is now of marriageable age—about 15

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567 sider themselves entitled to the female slaves. The owner, however, is bound to give a slave enough food from his own kitchen or to provide maize or other raw ingredients for him or her to cook. He must also provide a male slave [435] with a wife, either giving him a female slave or buying a girl for him from some poor clan for ten goats. The state of [428] slavery is hereditary; thus the children of slaves belong to the owner of their parents. If the owner of a male slave should buy a poor free girl to make him a wife, her children [611] will be free, since relationship is reckoned on the female side. If a free man pays a bride-price for a slave, she becomes free; but if he merely buys her for a house-slave she remains a slave. Male slaves are set to work in the fields or with the herds. Female slaves perform domestic occupations. Sometimes a female slave becomes nurse to the owner's children. [574] The laws of Guajira hospitality require that the master of a 837 house place a female slave at his guests' disposal for the night.

The Indians, of course, have the right to punish their slaves, but the chastisement is seldom excessive. Slaves are treated as superior domestic animals, or perhaps I ought to say, as we treat domestic animals, for the Creoles, the Indians' neighbours, are not animal-lovers. Naturally there are cruel Indians too. The monks once came across a poor little slave girl out in the wilds. Her hands were so badly burned that she could not use them. She had been trying to keep herself alive by gnawing at cactus with her mouth. They took her back with them. It transpired that her mistress had lost her temper with her, thrust her hands into the fire and then driven her away.

The Indians make a distinction between slaves taken in war, who are their master's property, and dependent workers. These latter have to do what their master tells them, but he does not dispose of their persons. I called them slave-workers. They can be sold, but in theory it is only their labour that is transferred.

735 In times of distress the poor not infrequently have to get 567 rid of members of the family who are unable to contribute to their own support, and this they do by selling them. This

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upon to pay damages by their wives' clans if they do. They will give their sons cattle—sons do not inherit from their fathers—and these they have to look after themselves from the age of fifteen or sixteen. In the better families youths of this age are often rather wild, trying to imitate the older men, drinking more than they can take, being noisy and butting in when their elders are talking. The grown-ups take this quite calmly, pretending they are not there. 'They grow out of it,' they say.

The young men usually settle down when they marry. They must then stand on their own feet and assume family responsibilities.

We now had a much better idea of life in Guajira. As we slowly waded through the sand back to the mission station, Gladtvet said:

'One ought to ride on camels here.'

Perhaps the Indians ought to have had camels. That would have made another reason to call the peninsula the Arabia of South America.

7:Bolinder T-5 (1920, 1955) 1957
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inherit. They hold him in great respect. A man's chief heir is thus his eldest nephew and he takes particular care of him. During his lifetime a well-to-do man will give his sons enough cattle to ensure that they will not be left destitute when he dies. Each clan has its name and its symbol: the jaguar, rattle-snake, king vulture, dog, etc., but this has no connection with totemism or magic. The Indians think no more of their name's meaning than we do, when people have animal names. They often joke about them.

A number of the clans are large and powerful, others small and weak, sometimes entirely dependent on one of the big clans. Those born into a big clan are fortunate, for they have power behind them and can count on support and help if they are insulted, threatened or robbed, for the members of a clan stick together whatever happens, united by the bond of blood. The same blood flows in all their veins. The Indians imagine that the human grows from a drop of the mother's blood, and that the foetus feeds on the new vital fluid—for they know that menstruation ceases during pregnancy.

A man does not possess the right to dispose of his blood or his life. They both belong to the clan. If he hurts himself so that blood flows he must pay damages to his clan for shedding their blood. Suicide is also punishable, though not at all unusual. After an unsuccessful attempt at suicide, the clan will claim damages, even if no blood has been shed. An Indian wanting to take his own life hangs himself. Such importance is attached to the shedding of blood, that, if someone strikes another and makes his nose bleed, this is regarded as an aggravating circumstance and increases the compensation the victim demands. His whole clan will consider itself insulted. In fact, one can really say that an Indian only has the usufruct of his life and blood.

It is the same with the land. The land in the peninsula is owned by the clans, each of which has its own defined territory. The cultivable areas are not large and lie round the few water-courses that are not dry during most of the year. These plantations are traditionally exploited by certain families in each clan and are inherited by the eldest nephews.

9: Santa Cruz E-5 (1958) 1960
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the individual who was to provide the raw material for this article. This is more or less a biography of the man who was at the same time guide, interpreter, and driver for the author and with whom extensive conversations, both formal and informal, took place.[2]

Guajiro culture, like most native cultures in the New World, has suffered great acculturation due to the impact with European ways of life. Some of these cultures have been more resistant to change than others; and within one culture, certain aspects have remained closer to the traditional forms than have others. In Guajiro culture, it is perhaps the social organization, with all of its ramifications, that has resisted recent acculturation more than the other aspects of the culture. We know very little of the pre-cattle culture of the Guajiro and even Juan de Castellanos, writing at the beginning of the seventeenth century, describes them as having numerous herds of domestic animals. Nowhere in the literature on the Guajiros is there an example of status having been acquired outside the traditional way and the present writer, in his two field trips to the region, has found only the case here described.

As it is not the purpose of this article to give a full description of the social organization of the Guajiro, it will be sufficient to state that the tribe is divided into some twenty-five matrilineal clans, of which about eleven are large and rather powerful in their socio-economic aspects, and the rest—due mainly to the fact of having a small number of members—are weak, and relatively unimportant. Inheritance is along the mother's line, an individual acquiring property from his maternal uncle. The avunculate in all its social and economic aspects, is a very important institution (Santa Cruz, 1941).

Traditionally the clans are exogamous with incest taboos and punishments for those who break them. This exogamic characteristic of the clan is apparently disappearing, as several cases of endogamous unions were found among the Guajiro living in the outskirts of the city of Maracaibo. No endogamous marriages, however, were found in the Guajiro proper by the present writer, although Gregorio Hernandez de Alba (1936) has

[2] Proper names, especially of the subject, have all been disguised in some way, so as to spare personal feelings.

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Venezuelan Guajiro. As his wealth grew so did his prestige. About twenty years ago the then leader of the Uriana clan died leaving no heirs, as he had no brothers and no direct nephews. Guajiro tradition establishes that, if upon the death of a clan leader and wealthy man there are no close heirs, even though there be distant ones, a council of elders (informally chosen among the oldest and more respected men of the clan) will meet and select the individual who shall take over not only the leadership of the clan but the wealth of the deceased as well. These cases are very infrequent (actually the writer could only find, in the memory of the oldest men, two instances of a council of elders meeting to select a leader; one is the case mentioned in this article, and the other occurred among the Epieyú clan, in Colombia, about fifty or sixty years ago). Fernandez now confesses, quite candidly, that at the time of the meeting of the council of elders, he distributed a number of gifts among them, thus succeeding in having them select him as clan leader and heir to the wealth of the dead chief.

It is interesting to note—and it shows how much acculturation Guajiro culture has undergone with the assimilation of the cattle complex—that the true Guajiro term for leader or chief (which also means "old man") *alat'laa* is almost all but forgotten and practically never used, having been substituted by the word *to'olo* a corruption of the Spanish word *toro* meaning BULL. (Stops are not glottal, but simple stoppage of the sound to be renewed with the coming vowel. Phonetic transcription have followed those given by Dr. Martha Hilderbrand's work on the Guajiro language published by the Comisión Indigenista, Venezuela, in 1958).

The role of Fernandez as leader of the Uriana clan is an exact replica of Silva's. He acts as advisor, settles disputes, makes arrangements for the payments of torts, bride-prices, etc. His day is fully as busy as that of Silva and he attends to all these matters besides his personal affairs.

Here we have, then, the two traditional ways of acquiring status in Guajiro society that the present writer has been able to investigate; one through inheritance, as in the case of Panchito Silva; and the other, through selection by a council of elders, as in the case of José de la Rosa Fernandez. It is doubtful that